

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael Thomas Clandinin Confirmation No: 3396

Serial No.: 10/551,789

Examiner: Eric Olson

Filed: October 3, 2005

Group Art Unit: 1623

For: **Formulations for Mediating Inflammation and for Reducing Blood Cholesterol**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPLICANT'S INTERVIEW SUMMARY
filed electronically

This Interview Summary is submitted pursuant to 37 CFR §1.133 to complete the written record for the above-referenced application.

Applicant appreciated the courtesy of the telephonic interview held on August 19, 2009 between Examiner Eric Olson and the Applicant's undersigned representative, Dr. Kathleen Marsman and Dr. Rekha Hanu. Pending claims 3, 6, 7, 11, 13, 17, 21, 22, 23, 25, 28, 29, 30, 31 and 32 were discussed with respect to the final Office Action dated May 15, 2009 and rejections under 35 U.S.C. §§ 102 and 103.

The Examiner requested limiting the subject population in both claims 13 and 25.

For claim 25, Applicant's agreed to limit the subject population in the preamble of the claim to individuals with elevated cholesterol.

For claim 13, the Applicants agreed to limit the subject population in the claim preamble to reflect the wording found in the second "wherein" paragraph relating to inflammatory bowel disorder, disorders arising from allergic responses, diseases involving epithelial surface responses, and inflammation of the intestine, retina or neuronal tissue.

Agreement was reached that the claims as amended over Della Valle do not disclose oral consumption.

Agreement was reached that the limitation requiring at least 50% GD3 distinguished over Williams.

Agreement was not reached with respect to the Berger reference for obviousness, the applicants will consider how better to handle Berger and may propose additional amendments.

Applicant agreed to follow up with the Examiner by providing a proposed amended claim set to overcome the remaining rejections.

This Applicant's Interview Summary is being timely filed less than one month from the interview date. Accordingly, no fees are believed to be due. Should any extension of time under 37 CFR 1.136(a) and/or other fees be required with this submission, the Commissioner is authorized charge all fees due to our deposit account 04-1679.

Applicant respectfully requests entry of this Interview Summary into the official record. The Office is kindly requested to contact the Applicant's undersigned representative directly at 312-499-6709 with any questions.

Respectfully submitted,

September 16, 2009

Date

/Robert M. Gould/

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